



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*610 Federal Plaza
Central Islip, New York 11722*

June 26, 2012

BY ECF

The Honorable Carol B. Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Ramanand Persaud
Criminal Docket No. 01-1342 (CBA)

Dear Chief Judge Amon:

I write in response to defendant Ramanand Persaud's motion for Return of Seized Property, specifically his passport. Persaud requests that the Court order his passport returned to him upon his release from incarceration in December 2012. However, as set forth in more detail below, because Persaud's motion for return of his passport is premature, his motion should be denied.

BACKGROUND

In November 2001, the defendant was arrested. Several days later, upon his release from custody on bond, his passport was surrendered to Pre-Trial Services. Pre-Trial Services has maintained possession of the passport since that time.

On November 25, 2002, after a jury trial, the Court entered a judgment of guilty against the defendant for conspiring to import, actually importing and attempting to possess cocaine in the amount of five kilograms or more in violation of 21 U.S.C. §§ 963, 952(a) and 846, respectively.

Thereafter, Persaud was sentenced to three concurrent terms of imprisonment of 151 months each, which he is now serving, five years of supervised release and a \$300 special assessment. Persaud will be released from incarceration in December 2012.

ARGUMENT

Upon inquiry, the Pre-Trial Services Department has advised the government that its policy is to maintain a passport seized at the time of an arrest, until a defendant is released from custody and completes any term of supervised release. Persaud has been ordered to serve five years of supervised release which is expected to commence in December 2012.

Accordingly, because Persaud's motion for return of his passport is premature, his motion should be denied.

Thank you for your consideration.

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

By: _____/s/_____
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cc: Ramanand Persaud
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